

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JOHN W. KARCZ, JR.,
JENNIFER A. KARCZ

Plaintiffs,

Civil Action No.: 1:16-CV-00628

vs.

THE CITY OF NORTH TONAWANDA, and
THE COUNTY OF NIAGARA, et al.

Defendants.

**ATTORNEY DECLARATION IN SUPPORT OF
PLAINTIFF'S MOTION TO CONSOLIDATE**

CHAD A. DAVENPORT, ESQ., declares under the penalty of perjury:

1. I am an attorney duly licensed to practice law in the State of New York, and before the United States District Court, Western District of New York. I am an associate with the law firm of Rupp Baase Pfalzgraf Cunningham LLC, attorneys for plaintiffs John & Jennifer Karcz, in the above-entitled action. I have worked on this matter extensively; therefore, I am fully familiar with the facts and circumstances of this case.

2. I submit this declaration in further support of Plaintiff's motion to consolidate the instant action with the related action pending before this Court captioned *Jennifer A. Karcz v. The City of Niagara, et al.*, Civil Action No. 1:16-CV-00693-LJV-HSS (W.D.N.Y.) (the "Related Action"). For the reasons discussed in the plaintiffs' reply memorandum of law in

the Related Action, Mr. and Mrs. Karcz request that this Court consolidate both actions for all purposes.

Dated: July 14, 2021
Buffalo, New York

RUPP BAASE PFALZGRAF CUNNINGHAM LLC
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